

On the same day, the Coldwater Dairy Co. having filed an answer admitting that a portion of the product was violative of the law, the court entered an order providing for the condemnation of that portion of the product which contained less than 80 percent of butter fat and its release under bond for reprocessing, under the supervision of the Federal Security Agency.

CHEESE

16869. Adulteration of cheese. U. S. v. Frank E. Barone (Roma Cheese Co.).
Plea of guilty. Fine, \$200. (F. D. C. No. 29625. Sample No. 47541-K)

INFORMATION FILED: November 15, 1950, Western District of New York, against Frank E. Barone, trading as the Roma Cheese Co., Buffalo, N. Y.

ALLEGED SHIPMENT: On or about April 30, 1950, from the State of New York into the State of Pennsylvania.

LABEL, IN PART: "North Star Cheese Mfg. & Prov. Co. * * * Pittsburgh, Pa. Ricotta Fresca."

NATURE OF CHARGE: Adulteration, Section 402 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 26, 1950. A plea of guilty having been entered, the court imposed a fine of \$200.

16870. Adulteration of cheese food and process cheese. U. S. v. 50 Cases, etc. (F. D. C. No. 29506. Sample Nos. 78651-K, 78652-K.)

LIBEL FILED: August 4, 1950, District of Montana.

ALLEGED SHIPMENT: On or about July 12, 1950, from Salt Lake City, Utah, by the Certified Warehouse & Transfer Co.

PRODUCT: 50 cases, each containing 10 packages, of a cheese food, and 9 10-pound cartons of process cheese at Butte, Mont.

LABEL, IN PART: "Blue Ribbon Brand Two Pounds Net Weight Ta-Chee A Tasty Cheese Food Product Manufactured By Clearfield Cheese Co., Inc. Home Office Curwensville, Pa." and "Clearfield Brand Pasteurized Process Sharp Midget."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: December 13, 1950. Default decree of condemnation. The court ordered that the product be denatured and delivered to a charitable institution, for use as animal feed.

16871. Misbranding of creamed cottage cheese and coffee cream. U. S. v. Good-Rich Dairy. Plea of guilty. Fine, \$350. (F. D. C. No. 29642. Sample Nos. 49795-K, 49797-K, 88203-K, 88205-K, 88207-K, 88208-K, 88210-K.)

INFORMATION FILED: November 10, 1950, District of Colorado, against the Good-Rich Dairy, a partnership, Sterling, Colo.

ALLEGED SHIPMENT: On or about August 28 and September 11 and 13, 1950, from the State of Colorado into the State of Nebraska.

LABEL, IN PART: "Half Pint Good-Rich Grade A—Pasteurized Cream" and "Creamed Cottage Cheese Pasteurized."

NATURE OF CHARGE: Creamed cottage cheese. Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for creamed cottage cheese since it contained less than 4 percent by weight of milk fat.

Coffee cream. Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for cream since it contained less than 18 percent by weight of milk fat.

DISPOSITION: November 22, 1950. A plea of guilty having been entered, the court fined the defendant \$350.

MISCELLANEOUS DAIRY PRODUCTS*

16872. Adulteration of ice cream. U. S. v. Enid Ice & Fuel Co., Inc. (Peerless Ice & Ice Cream Co.), and Henry Lowe. Pleas of guilty. Each defendant fined \$100; costs also were imposed. (F. D. C. No. 29463. Sample Nos. 70060-K, 70062-K, 70063-K, 70087-K.)

INFORMATION FILED: November 6, 1950, Western District of Oklahoma, against Enid Ice & Fuel Co., Inc., trading as the Peerless Ice & Ice Cream Co., Enid, Okla., and Henry Lowe, treasurer of the corporation.

ALLEGED SHIPMENT: On or about December 16, 1949, and January 14, February 11, and March 24, 1950, from the State of Oklahoma into the State of Kansas.

LABEL, IN PART: "Peerless Ice Cream Peerless Ice & Ice Cream Co. Enid, Okla. Contents ½ Gallon Liquid."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent of the product, milk fat, had been in part omitted; Section 402 (b) (2), a product containing a fat other than milk fat had been substituted for ice cream; and, Section 402 (b) (4), a fat other than milk fat had been added to the product and mixed and packed with it so as to reduce its quality.

DISPOSITION: December 22, 1950. Pleas of guilty having been entered, the court fined each defendant \$100; costs also were imposed.

16873. Adulteration and misbranding of sweetened condensed milk. U. S. v. 67 Drums * * *. (F. D. C. No. 29371. Sample No. 56972-K.)

LIBEL FILED: June 27, 1950, District of New Jersey.

ALLEGED SHIPMENT: On or about May 12, 1950, by the Liqua Dry Milk Co., from Mauston, Wis.

PRODUCT: 67 drums, each containing approximately 600 pounds of sweetened condensed milk at Newark, N. J.

LABEL, IN PART: (Drum) "Sweetened Whole Condensed Milk Butterfat 8½%."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 8.5 percent of milk fat had been substituted for sweetened condensed milk.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for sweetened condensed milk since it contained less than 8.5 percent of milk fat, as required by the standard.

DISPOSITION: November 8, 1950. The Liqua Dry Milk Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reprocessing to bring it into conformity with the standard, under the supervision of the Food and Drug Administration.

*See also No. 16871.